

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re PARMALAT SECURITIES LITIGATION

This document relates to:

In re PARMALAT SECURITIES LITIGATION  
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MASTER DOCKET  
04 MD 1653 (LAK) ECF Case

**NOTICE OF  
MOTION TO DISMISS**

No. 04 Civ. 0030 (LAK)  
**ELECTRONICALLY FILED**

PLEASE TAKE NOTICE that upon the annexed Declaration of Michele Odorizzi, dated January 10, 2005, the exhibits attached hereto, and the accompanying Memorandum Of Deloitte & Touche USA LLP and Deloitte & Touche LLP In Support Of Their Motion To Dismiss The First Amended Consolidated Class Action Complaint, dated January 10, 2005, defendants Deloitte & Touche LLP and Deloitte & Touche USA LLP will move this Court, at the United States District Courthouse, 500 Pearl Street, New York, New York 10007, before the Honorable Lewis A. Kaplan, United States District Judge for the Southern District of New York, on a date designated by the Court, for an Order pursuant to Rules 12(b)(6) of the Federal Rules of Civil Procedure, dismissing with prejudice the claims made in the First Amended Consolidated Class Action Complaint against Deloitte & Touche USA LLP and Deloitte & Touche LLP and for any further relief as the Court deems just and proper.

Dated: January 10, 2005

/s/ Michele Odorizzi  
One of the attorneys for Defendants  
Deloitte & Touche USA LLP and  
Deloitte & Touche LLP

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